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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of

Kazuhiro AIHARA, et al.

Serial No.: 09/499,037

Filed: February 07, 2000

Group Art Unit: 2826

Examiner: J. Mondt

For: SEMICONDUCTOR DEVICE AND MANUFACTURING METHOD THEREOF

APR 1 8 2002

## **NOTICE OF APPEAL** FROM THE PRIMARY EXAMINER TO THE BOARD OF APPEALS

Commissioner for Patents Washington, DC 20231

Sir:

FECHNOLOGY CENTER 28 Applicants hereby appeal to the Board of Appeals from the decision dated December 18, 2001 of the Primary Examiner finally rejecting claims 1-5.

Appeal Fee: **\$**320.00

Not required (fee paid in prior appeal in this application).

Charge to Deposit Account No. 500417.

Check Enclosed.

Respectfully submitted.

04/22/2002 CNBUYEN 00000008 500417 09499037 MCDERMOTT, WILL & EMERY 02 FC:119 320.00 CH

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Date: April 18, 2002